

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barrie R. Froseth et al.

Title: CUSTOMIZED FOOD SELECTION, ORDERING AND DISTRIBUTION SYSTEM AND METHOD

Docket No.: 869.018US1

Filed: February 9, 2001

Examiner: Robert Madsen

Serial No.: 09/780,273

Due Date: September 29, 2004

Group Art Unit: 1761

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450



We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
- ☒ An Amendment and Response (23 Pages).
- ☒ Copy of U.S. Food and Drug Regulations, Code of Federal Regulations, Title 21, Volume 3, Chapter 1, Subchapter B – Food and Human Consumption, 1 page, (2004).

If not provided for in a separate paper filed herewith, Please consider this a **PETITION FOR EXTENSION OF TIME** for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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Atty: Barbara J. Clark

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 24 day of September, 2004.

Name

Gina M. Uphus

Signature

Gina Uphus

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(GENERAL)



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[Code of Federal Regulations]  
[Title 21, Volume 3]  
[Revised as of April 1, 2004]  
[CITE: 21CFR172.831]



TITLE 21--FOOD AND DRUGS  
CHAPTER I--FOOD AND DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
SUBCHAPTER B - FOOD FOR HUMAN CONSUMPTION (CONTINUED)

### PART 172 -- FOOD ADDITIVES PERMITTED FOR DIRECT ADDITION TO FOOD FOR HUMAN CONSUMPTION

#### Subpart I -- Multipurpose Additives

##### Sec. 172.831 Sucralose.

(a) Sucralose is the chemical 1,6-dichloro-1,6-dideoxy- $\beta$ -D-fructofuranosyl-4-chloro- $\alpha$ -D-galactopyranoside (CAS Reg. No. 56038-13-2).

(b) The additive meets the specifications of the "Food Chemicals Codex," 4th ed. (pp. 398-400, which is incorporated by reference in accordance with 5 U.S.C. 552(a) CFR part 51. Copies are available from the the Division of Product Policy (HFS-206 Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5100 P Branch Pkwy., College Park, MD 20740, or may be examined at the Center for Food Safety and Applied Nutrition's Library, 5100 Paint Branch Pkwy., College Park, MD 20740 20001, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to:  
[http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations)

(c) The additive may be used as a sweetener in foods generally, in accordance with current good manufacturing practice in an amount not to exceed that reasonably required to accomplish the intended effect.

(d) If the food containing the additive purports to be or is represented to be for special dietary use, it shall be labeled in compliance with part 105 of this chapter.

[63 FR 16433, Apr. 3, 1998, as amended at 64 FR 43909, Aug. 12, 1999]